

SHEINDLIN

Todd E. Soloway
 tsoloway@pryorcashman.com
 Jonathan T. Shepard
 jshepard@pryorcashman.com
 410 Park Avenue
 New York, New York 10022
 (212) 421-4100

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF NEW YORK

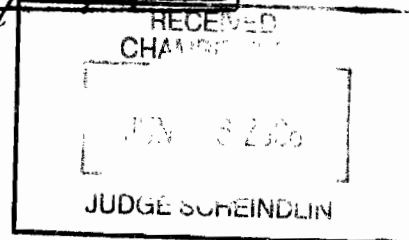
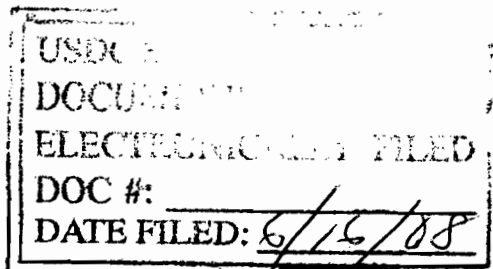
-----X
 EAST 29TH STREET LLC,

Plaintiff,

-against-

WACHOVIA BANK, N.A.,

Defendant.
 -----X



Index No. 08-cv-02081 (SAS)

**STIPULATION OF
 DISCONTINUANCE**

IT IS HEREBY STIPULATED AND AGREED, by and between the Plaintiff East 29th Street LLC ("Plaintiff") and Defendant Wachovia Bank, N.A. ("Defendant"), that, whereas no party hereto is an infant, incompetent person for whom a committee has been appointed or a conservatee and no person not a party has an interest in the subject matter of this action, the above-entitled action be, and the same hereby is, discontinued, with prejudice, and without costs and without attorneys' fees to either party as against the other.

IT IS FURTHER STIPULATED AND AGREED, by and between the Plaintiff and Defendant, that the Summons and Complaint, dated March 3, 2008, is hereby withdrawn and discontinued with prejudice.

IT IS FURTHER STIPULATED AND AGREED, this Stipulation may be executed in counterparts, each of which, when taken together, shall be deemed a single document. Facsimile signatures shall be treated and effective as if original signatures hereon.

Dated: New York, New York
May 29, 2008

PRYOR CASHMAN LLP

By: 

Todd E. Soloway
tsoloway@pryorcashman.com
Jonathan T. Shepard
jshepard@pryorcashman.com
410 Park Avenue
New York, New York 10022
(212) 421-4100

Attorneys for Plaintiff

Dated: New York, New York
May 29, 2008


ROSNER NOCERA & RAGONE, LLP

By: 

Peter A. Ragone
John A. Nocera

Attorneys for Defendant
110 Wall Street - 23rd Floor
New York, New York 10005
(212) 635-2244

SO ORDERED:


U.S.D.J.
6/16/08